

Nos. PD-0038-21 & PD-0039-21

JOHN JOE AVALOS	§	IN THE TEXAS COURT COURT OF CRIMINAL APPEALS OF CRIMINAL APPEALS DEANA WILLIAMSON, CLERK
	§	
STATE OF TEXAS	§	AUSTIN, TEXAS

NOTICE OF APPEARANCE AS COURT APPOINTED
COUNSEL ON APPEAL

Re: Avalos, John Joe
From the 437th District Court of Bexar County, Texas
CCA No. PD-0038-21 & PD-0039-21
COA No. 04-19-00192-CR & 04-19-00193-CR
Trial Court Nos. 2018-CR-7068 & 2016-CR-10374
Hon. Lori Valenzuela, Judge Presiding

UNNOPOSED MOTION FOR EXTENSION OF TIME TO FILE RESPONSE TO
STATE'S BRIEF ON PETITION FOR DISCRETIONARY REVIEW

In accordance with Tex. R. App. Pro. 68.2, Respondent John Joe Avalos submits his "Motion for Extension of Time to File Response to State's Brief on Petition for Discretionary Review," and shows as follows:

The State filed its brief on its petition for discretionary review on April 27, 2021; the Respondent's brief is due Thursday, May 27, 2021. Respondent's counsel, a solo practitioner with a heavy trial and appellate practice, requests a 30-day extension to file Respondent's response brief due to the following current projects and deadlines:

1. Preparation for, and jury trial set to begin June 2, 2021, in *State of Texas v. Sergio Collazo*, in Cause No. 19-09-10380, 82nd Judicial District Court, Marlin, Texas;

2. Motion for a certificate of appealability (COA) and memorandum in support, due to be filed Wednesday, June 9, 2021, in *Whitley v. Lumpkin*, Cause No. 21-50176 before the Fifth Circuit Court of Appeals.

On May 24, 2021, the undersigned counsel consulted with opposing counsel, Mr. Andrew Warthen, Assistant District Attorney in charge of this case, who expressed no opposition to the requested extension.

WHEREFORE, Petitioner, respectfully requests that this Court grant a 30-day extension of time to file his petition for discretionary review, to and including Monday, June 28, 2021.

Respectfully submitted,

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By: /s/ JORGE G. ARISTOTELIDIS
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CERTIFICATE OF SERVICE

I hereby certify that on this the 24th day of June 2021 a copy of the foregoing “Unopposed Motion for Extension of Time to File Response to State’s Brief on Petition for Discretionary Review,” has been delivered to Mr. Andrew Warthen, Assistant District Attorney with the Bexar County District Attorney’s Office, *via* the Texas Efile system.

/s/ JORGE G. ARISTOTELIDIS

CERTIFICATE OF COMPLIANCE

I hereby certify that in accordance with T.R.A.P. 9.4(i)(3), the foregoing motion contains 381 words.

/s/ JORGE G. ARISTOTELIDIS

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Jorge Aristotelidis on behalf of George William Aristotelidis
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Status as of 5/24/2021 12:49 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Andrew Warthen		AWarthen@bexar.org	5/24/2021 12:47:13 PM	SENT